

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

RULE 3080 - ATMOSPHERIC ACIDITY PROTECTION PROGRAM FEE

(Adopted May 21, 1992, Amended December 17, 1992; July 17, 2003)

1.0 Purpose

The purpose of this rule is to provide revenue for acid deposition research and monitoring pursuant to the Atmospheric Acidity Protection Program as provided in the Health and Safety Code Sections 39906 et seq. The fees required pursuant to this rule shall be in addition to the permit fees and other fees required under other Rules and Regulations.

2.0 Definitions

2.1 Major Nonvehicular Source: any operation which emits oxides of nitrogen or oxides of sulfur, expressed as nitrogen dioxide and sulfur dioxide respectively, in an amount equal to or exceeding 500 tons per pollutant per year.

2.2 Base Year: the year as determined by the ARB to be used as the basis in the calculation formula.

3.0 Fee Requirements for Major Nonvehicular Sources

For each major nonvehicular source, the permit holder is assessed a fee payable to the District, due within 60 days of notice of assessment by the District and calculated by the District according to the following formula:

$$\text{Fee (in \$)} = A + (B \times C)$$

Where:

A = the administrative cost (not to exceed 5% of the product of B x C) to collect these fees based on the costs of the total number of District staff man-hours expended in collection of the fees;

B = mass of emissions in the base year of oxides of nitrogen and/or oxides of sulfur, expressed as actual tons of nitrogen dioxide and sulfur dioxide respectively, from the subject major nonvehicular source, and as determined by the APCO. If only one pollutant is emitted in the amount of 500 tons per year or more, "mass of emissions" shall be determined based only on that pollutant.

C = the fee in dollars per ton per year (\$/tpy), based upon the amount determined by the ARB pursuant to and for the purposes described in the Atmospheric Acidity Protection Act of 1988.

4.0 Late Fees

If payment of the acid deposition research fee required by this rule is not received by the District within 60 days of notice by the APCO, the fee shall be increased in accordance with the schedule provided in Rule 3110 Section 11.0 (Late Fees). If the increased fee is not paid within 90 days of the notice by the APCO, the major nonvehicular source's permits shall automatically be canceled, and the APCO shall so notify the major nonvehicular source by certified mail.